



CONTACT YOUR CONGRESSMAN TO PROTECT YOUR ACCESS TO THE WHEELCHAIR SEATING YOU NEED

As your provider of specialized wheelchair seating, we would like to take this opportunity to bring your attention to a Medicare program that may impact your ability to purchase your wheelchair seating from The ROHO Group in the near future.

WHAT IS COMPETITIVE BIDDING?

The Medicare Competitive Acquisition of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (“DMEPOS”) Program (or the “Program”) was mandated by Congress in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (“MMA”). The MMA required the Centers for Medicare & Medicaid Services (“CMS”) to replace the existing reimbursement structure for certain DMEPOS items covered under the Medicare program with a lower payment amount that is to be calculated through the submission of bid amounts under a competitive bidding process. The DMEPOS items to be included in the first round of the Program are as follows:

- Oxygen Supplies and Equipment
- Standard Power Wheelchairs, Scooters, and **Related Accessories**
- Complex Rehabilitative Power Wheelchairs and **Related Accessories**
- Mail-Order Diabetic Supplies
- Enteral Nutrients, Equipment and Supplies
- Contiguous Positive Airway Pressure (“CPAP”), Respiratory Assist Devices (“RADs”), and Related Supplies and Accessories
- Hospital Beds and Related Accessories
- Walkers and Related Accessories
- Support Surfaces

As of 2011, only DMEPOS suppliers that are awarded contracts (*i.e.*, winning suppliers) will be permitted to supply the above items to Medicare beneficiaries residing in competitive bidding areas (“CBAs”). In addition, Medicare end users residing in competitive bidding areas will no longer be able to purchase competitively bid items privately and subsequently file for Medicare reimbursement. The first round of the Program will be conducted in the following nine CBAs:

- Cincinnati – Middletown (Ohio, Kentucky and Indiana)
- Cleveland – Elyria – Mentor (Ohio)
- Charlotte – Gastonia – Concord (North Carolina and South Carolina)
- Dallas – Fort Worth – Arlington (Texas)
- Kansas City (Missouri and Kansas)
- Miami – Fort Lauderdale – Pompano Beach (Florida)
- Orlando – Kissimmee (Florida)
- Pittsburgh (Pennsylvania)
- Riverside – San Bernardino – Ontario (California)

HOW DOES THIS AFFECT YOU?

If you live in one of the CBAs listed above and require wheelchair seating, you may be required to use one of the suppliers that win a competitive bid under the Program to obtain it. This is because wheelchair seating is considered to be one of the wheelchair “related accessories” included in the Program. However, under the Program winning suppliers will be incented to reduce their inventory of specialized seating and focus on offering those products and services that cost them the least, rather than those that are necessary to address your specific medical needs. As a result, you may have difficulty finding a winning supplier that is able to satisfy your wheelchair seating needs. Most importantly, if you live in a CBA and you are unable to find a winning supplier that provides the wheelchair seating that meets your medical needs, you may have no choice other than to purchase your seating out-of-pocket with no access to Medicare reimbursement.

Even if you live in an area outside of those CBAs chosen to be included in the first round of competitive bidding, or you are not covered by Medicare, your access to the specific goods and services you need may be at risk. Additional rounds of Medicare competitive bidding are required which would encompass all of the top 100 metropolitan areas. Further, MMA gives the Secretary of Health and Human Services to apply the winning bid rates to all other geographic areas. Finally, the results of Medicare competitive bidding will trickle down to all other facets of the DMEPOS industry. Providers that are not awarded a competitive bidding contract may be forced to close due to the loss of business; or, reduce the goods and services they offer in order to remain competitive without access to Medicare business. Other payer sources often follow Medicare’s lead regarding DMEPOS coverage and reimbursement.

WHAT CAN YOU DO TO HELP?

We encourage you to call or write your Senators and Representative and request that adjustable wheelchair seat cushions (HCPCS codes K0734-K0737) be removed from the Program before the Program begins in 2011. As a company, The ROHO Group has reached out to Congress to exclude adjustable wheelchair seating from the Program. But, Congress now needs to hear from you! To find your Senators and Representative, please use the links below.

Find your Representative: <http://www.house.gov/>

Find your Senator: <http://www.senate.gov/>

Here are some specific points you may wish to use in your personalized message:

- ✓ Request that adjustable wheelchair seating (HCPCS codes K0734-K0737) be removed from the Program before the Program begins in 2011.
- ✓ The coding structure for adjustable wheelchair seating is not distinct enough to competitively bid. Bidding these items will restrict access to the specific products that an end user needs.
- ✓ Bidding adjustable seating will reduce user access to the services they need to insure proper selection and adjustment.
- ✓ Many of the providers of adjustable seating are small providers who may be prohibited from even bidding because they aren’t capable of covering the entire geographic area covered by the bid.
- ✓ Many of the providers of adjustable skin protection seating are wound care providers who may be prohibited from even bidding because they don’t offer the full array of power wheelchairs necessary to bid.
- ✓ Competitively bidding adjustable skin protection seating (HCPCS K0734-K073&) will negatively impact the individual end user’s access to the high quality, specific goods and services. Ultimately it will result in an increased incidence of wounds and higher costs for end users and the Medicare system.